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REMARKS

This paper is in response to the Office Action mailed on March 24, 2005 wherein Claims 1-7 and 9-17 were rejected. Claims 1-7 and 9-17 remain pending.

Claim Rejections Under 35 USC § 103

On page 2 of the Office Action, the Examiner rejected Claims 12-16 under 35 USC §103 as being unpatentable over Ito et al. On page 6 of the Office Action Claim 17 was rejected under Ito et al. in view of Andersen et al.. On page 5 of the Office Action, Claims 1-7 and 9-11 were rejected under Ito et al. in view of Andersen et al.

Applicants have amended the claims to better describe the present invention. Ito et al. and Andersen are silent with respect to any type of wait time for fuel correction. Ito et al. and Andersen are also silent with respect to a switching oxygen sensor. The Examiner has cited element 16 of Andersen (typo as 15 in the Office Action) as a switching oxygen sensor. Applicants object to this characterization, as element 16 is not described as a switching oxygen sensor.

Anderson et al. discloses injecting secondary air and fuel into the exhaust stream of an internal combustion engine to raise the temperature of the catalyst, as disclosed in column 2, lines 28-39. The injection of fuel and air into the exhaust stream creates combustion and heat in the exhaust of the system in Anderson. This is a fundamentally different operation than enriching the air fuel ratio of the engine, as a secondary air valve and fuel injector is required to inject fuel and air into the exhaust.

Ito et al. and Andersen, singly or in combination, do not teach or suggest the present invention. Furthermore, Andersen explicitly teaches away from enriching the air fuel mixture in an engine, as it includes separate hardware in the exhaust stream. The suggested combination of the Examiner is improper, references cannot be combined where the reference teaches away from their combination. See MPEP Section 2145.

If the Examiner relies on personal knowledge that the operation of the apparatus of the present invention is obvious in light of the cited art, Applicants respectfully request support for this assertion in the form of an affidavit that shall be subject to contradiction or explanation by the affidavits of the Applicant and other persons under 37 C.F.R. 1.104 (d)(2).

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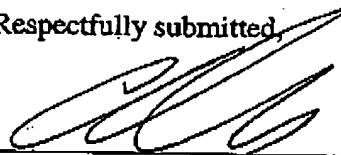
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Conclusion

The entire Office Action dated March 24, 2005 has been carefully reviewed, and this response is submitted as being fully responsive thereto. In view of the preceding remarks, Applicants respectfully submit that Claims 1-7 and 9-17 are in condition for allowance and respectfully request such action at the Examiner's earliest convenience. If the Examiner believes that personal contact would be advantageous to the disposition of this case, he is requested to call the undersigned at his earliest convenience.

If for some reason a fee needs to be paid, as well as one-month extension fee please charge Deposit Account No. 07-0960 for the fees, which may be due.

Respectfully submitted,



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